

SEWER COMMISSION PROJECT REVIEW FEE & POLICY

Project Review Fees Special Municipal Account -

1. When reviewing an application for, or when conducting inspections in relation to permits, which are within its legal jurisdiction to review and inspect, the Sewer Commission may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town lacks the necessary expertise to perform the work related to the said permit. The Sewer Commission may require that applicants pay a "project review fee" consisting of the reasonable costs incurred by the Sewer Commission for employment of outside consultants engaged by the Sewer Commission to assist in the review of a proposed project.
2. In hiring outside consultants, the Sewer Commission may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the Sewer Commission in analyzing a project to ensure compliance with all relevant laws, ordinances and other regulations such as they relate to the project at hand. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decision or regulations, or inspecting a project during construction or implementation.
3. Funds received by the Sewer Commission pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Sewer Commission without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose. Failure of an applicant to pay a review fee shall be grounds for denial of the permit.
4. At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Sewer Commission with documentation establishing such succession in interest.
5. Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen. Such appeal must be made in writing and may be taken only within 20 days after the Sewer Commission has mailed or hand-delivered notice to the applicant of the selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Sewer Commission shall stand.